

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF GUAM**

United States of America,)	CRIMINAL CASE NO. 05-00070-001
Plaintiff,)	
)	
)	DECLARATION IN SUPPORT OF PETITION
vs.)	
)	
KANYA ALEXANDER DAILEY)	
Defendant.)	
_____)	

I, U.S. Probation Officer Specialist Carmen D. O'Mallan, am the U.S. Probation Officer assigned to supervise the Court-ordered conditions of supervised release for Kanya Alexander Dailey, and in that capacity declare as follows:

On October 12, 2005, Kanya Alexander Dailey made an Initial Appearance in U.S.D.C. Criminal Case Number 05-00070 on an Indictment charging him with False Statement, (Felony), in violation of 18 U.S.C. § 1001 (Count 1); Unlawful Possession of Military ID Card (Misdemeanor), in violation of 18 U.S.C. §701 (Counts 2 & 3); and Trespassing (Misdemeanor), in violation of 18 U.S.C., § 1382 (Counts 4 & 5).

Mr. Dailey was released on a personal recognizance bond with conditions that he report to the U.S. Probation Office as directed, maintain or actively seek employment; surrender any passport to the Clerk of Court, District Court of Guam; obtain no passport; not leave the territory of Guam without the permission of the Court; refrain from any use of alcohol; submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance, which may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing; refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic

DECLARATION IN SUPPORT OF PETITION
Violation Report, Request for Warrant
Re: DAILEY, Kanya Alexander
USDC Cr. Cs. No. 05-00070-001
October 28, 2005
Page 2

monitoring which is (are) required as a condition(s) or release; report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop; remain at a fixed address and inform the Probation Office if he needs to change residence. Mr. Dailey is alleged to have violated the following conditions of release:

Special Condition: *The defendant shall remain at a fixed address and inform the Probation Office if he needs to change residence.*

On October 13, 2005, during a supervision orientation with United States Probation Officer Robert Carreon, Mr. Dailey was read his release conditions, and acknowledged in writing that he understood the conditions of his release. He further informed Officer Carreon that he lived with a friend, Harold Woods, at 102 Villa Rosario, Latte Heights, Dededo, Guam. On October 19, 2005, a home visit was made by this officer and Officer Carreon to 102 Villa Rosario, Latte Heights, Dededo. Repeated knocks on the door were unanswered, and a business card with a request to contact this officer was left under the door.

On that same date, an individual, who identified himself as Harold Woods, contacted this officer after he discovered the business card under his door. Mr. Woods stated that Mr. Dailey does not live with him, and had only spent the night at his apartment on occasion, with last time being three weeks ago. Mr. Woods further stated that he has not seen Mr. Dailey for more than ten days and does not know where he currently lives.

Special Condition: *The defendant shall report to the Pretrial Services Office as directed.* During his supervision orientation, Mr. Dailey was instructed by U.S. Probation Officer Robert Carreon, to report every Monday, commencing October 17, 2005, to submit proof that he was actively looking for a job. Mr. Dailey did not report to the office on October 17, 2005, however he called to inform U.S. Probation Officer Carreon that his car broke down. He was instructed to contact the U.S. Probation Officer Carreon later in the week, but failed to do so. Mr. Dailey failed to report on Monday, October 24, 2005 to submit his employment report.

DECLARATION IN SUPPORT OF PETITION
Violation Report, Request for Warrant
Re: DAILEY, Kanya Alexander
USDC Cr. Cs. No. 05-00070-001
October 28, 2005
Page 3

Supervision Compliance: The probation officer has no information to determine if Mr. Dailey has been compliance with the other conditions of his pretrial release.

Recommendation: The Probation Officer respectfully requests that pursuant to 18 U.S.C. §3148, that this matter be scheduled for a hearing and a warrant be issued for the defendant's appearance at that hearing to determine if his bail should be revoked or modified.

Respectfully submitted,

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By:



CARMEN D. O'MALLAN
U.S. Probation Officer Specialist

Reviewed by:



FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

cc: Steve Chiappetta, Special Assistant United States Attorney
Kim Savo, Defense Attorney
File